

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1617**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masao MORI et al.

Group Art Unit: 1617

Application No.: 10/557,922

Examiner: P. ZAREK

Filed: December 22, 2005

Docket No.: 126068

For: COMPOUNDS AND PREPARATIONS HAVING ANTIVIRAL EFFECT

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 2, 2009 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

I. Rejections Under 35 U.S.C. §103

A. Hattori

The Office Action rejects claims 1–3 and 5 under 35 U.S.C. §103(a) over U.S. Patent No. 6,268,395 to Hattori ("Hattori"). Applicants respectfully traverse the rejection.

The Office Action asserts on page 3 that esters, alkyl groups, and ethers are all known protecting groups, citing to Carey and Sundberg, Advanced Organic Chemistry, 3rd edition, 1990, Section 13.1 .1 ("Carey"), and to Greene and Wuts, Protective Groups in Organic Synthesis, 2nd edition, 1991, Chapter 2 ("Greene") in support of this assertion. Applicants respectfully submit that this assertion is an overly broad mischaracterization of the teachings